

### **REMARKS**

By this Amendment, claims 26-37 are added. Claims 9-10, 14-17, 23 and 25 remain in the application. Thus, claims 9-10, 14-17, 23 and 25-37 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

The Applicants thank the Examiner for kindly conducting the interview with the Applicants' representatives on December 14, 2005. In the interview, the Applicants' representatives presented proposed new claims 26-37 to be added in the application. New claims 26-37 presented herein are identical to proposed new claims 26-37 presented in the interview, except that new independent claims 26 and 35 have been revised to recite that each of the plurality of indicators is associated with one of the plurality of protocol data units.

The Applicants thank the Examiner for kindly indicating in the interview that new claims 26-37 will be entered in the application and that issuance of a restriction requirement is unlikely.

The Applicants respectfully submit that new claims 26-31 and 35-37 are allowable over the TSG-RAN reference ("Support of Hybrid Arq Type II/III in the Physical Layer," TSGR1#4(99)355, TSG-RAN Working Group 1 meeting #4, Siemens AG, Shin-Yokohama, Japan (18) 19-20, April 1999, p. 1-4).

In particular, new claim 26 recites the reception apparatus as comprising a receiving section which is operable to receive packet data on a data channel in a form of a plurality of protocol data units, and to receive a plurality of indicators on a control channel, where each of the plurality of indicators is associated with one of the plurality of protocol data units. New claim 26 also recites that the receiving section is further operable to receive an allocation message that is transmitted with at least one of the indicators on the control channel. The allocation message is defined in new claim 26 as including information about the channelization code of the data channel.

New claim 35 recites the method as comprising receiving packet data on the data channel in a form of a plurality of protocol data units, and receiving, on the control channel, a plurality of indicators, where each of the plurality of indicators is associated with one of the protocol data units. Furthermore, new claim 35 recites the method as

comprising receiving an allocation message transmitted with at least one of the indicators, where the allocation message includes information about the channelization code of the data channel.

The TSG-RAN reference discloses that a payload data unit (PDU) is transmitted on a separate channel from its corresponding PDU number (indicator). However, the TSG-RAN reference does not disclose or suggest receiving an allocation message with at least one of the PDU numbers on a control channel, where the allocation message includes information about the channelization code of the data channel on which the PDUs are received.

Accordingly, the TSG-RAN reference clearly does not disclose or suggest receiving an allocation message transmitted with at least one of the indicators, where the allocation message includes information about the channelization code of the data channel, as recited in new claims 26 and 35.

Therefore, the Applicants respectfully submit that new claims 26 and 35 are clearly allowable over the TSG-RAN reference since the TSG-RAN reference clearly fails to disclose or suggest each and every limitation of new claims 26 and 35. Accordingly, the Applicants respectfully submit that claims 26 and 35, as well as new claims 27-31 and 36-37 which depend therefrom, are clearly allowable over the prior art of record.

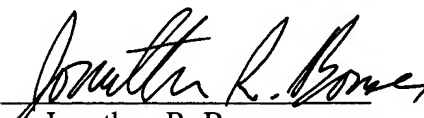
The Applicants also submit that claims 9-10, 14-17, 23, 25 and new claims 32-34 are clearly allowable for the reasons presented in the October 18, 2005 Amendment.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Supplemental Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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